

PATENT

IN THE SPECIFICATION

Please amend the paragraphs of the specification as follows:

Please replace paragraphs [1002], [1003] and [1004] on page 1 with the following amended paragraphs:

[1002] "METHOD OF RATE ALLOCATION IN A DATA COMMUNICATIONS NETWORK," by Rajesh Pankaj, having ~~Application Number 09/264,297~~ U.S. Patent No. 6,324,172, filed ~~March 4, 1999~~ March 8, 1999, assigned to the assignee hereof and hereby expressly incorporated by reference;

[1003] "SYSTEM AND METHOD FOR PERSISTENCE VECTOR BASED MODIFICATION OF USAGE RATES," by Rajesh Pankaj et al., having ~~Application Number 09/410,204~~ U.S. Patent No. 6,665,272, filed Sept. 30, 1999, assigned to the assignee hereof and hereby expressly incorporated by reference; and

[1004] "CLOSED LOOP RESOURCE ALLOCATION," by Giovanni Corazza et al., having ~~Application No. 09/409,981~~ U.S. Patent No. 6,563,810, filed September 30, 1999, assigned to the assignee hereof, and hereby expressly incorporated by reference.

Please replace paragraph [1029] on page 7 with the following amended paragraph:

[1029] Additionally, the timing of congestion control action impacts the operation of the system. If congestion control is introduced too early, traffic may be rejected that could have been processed. Similarly, if congestion control is delayed too long, the system may become inoperative due to heavy traffic.

PATENT

Please replace paragraph [1042] on page 11 with the following amended paragraph:

[1042] Returning to decision diamond 204 of FIG. 5A, when the congestion bit is cleared, processing continues to decision diamond 214 for processing an underload condition. If the last rate is less than the target, the rate is increased at step 218 with a probability specific to the access terminal and specific to increases in the rate. The probability is labeled $P_u(i)$, wherein the u corresponds to increase probability, and each access terminal may have a unique probability. If the last rate is not less than the target rate at decision diamond 214, the access terminal determines if there have not been N consecutive $CB=0$ at decision diamond 216. If there have been N consecutive $CB=0$, the access terminal applies the last data rate at step 220 to RL transmissions; else processing continues to step 218 to increase the rate. In this way, the access terminal adjusts the data rate to maintain the transmission data rate as close to a target value as possible. If the data rate is above the target and the access terminal has received a predetermined number N indications that the system is not congested, the access terminal increases the data rate. In this scenario, the access terminal is maintaining a data rate above a target specific to the access terminal, but the system is still underloaded, i.e., the congestion control of $AT(i)$ is not sufficiently utilizing the resources of the system. The access terminal then transmits at the new rate at step 222.